

# Daily Digest

## HIGHLIGHTS

See Résumé of Congressional Activity.

## Senate

### Chamber Action

*Routine Proceedings, pages S1429–S1444*

**Measures Introduced:** Ten bills and two resolutions were introduced, as follows: S. 1386–1395, and S. Res. 186–187. **Pages S1440–41**

**Measures Passed:**

*Authorizing a photograph in the Senate Chamber:* Senate agreed to S. Res. 187, authorizing the taking of a photograph in the Senate Chamber.

**Page S1443**

**Hsu Nomination—Cloture:** Senate began consideration of the nomination of Wesley L. Hsu, of California, to be United States District Judge for the Central District of California. **Page S1436**

A motion was entered to close further debate on the nomination, and, in accordance with the provisions of Rule XXII of the Standing Rules of the Senate, a vote on cloture will occur upon disposition of the nomination of Orelia Eleta Merchant, of New York, to be United States District Judge for the Eastern District of New York. **Page S1436**

Prior to the consideration of this nomination, Senate took the following action:

Senate agreed to the motion to proceed to Legislative Session. **Page S1436**

Senate agreed to the motion to proceed to Executive Session to consider the nomination. **Page S1436**

**Hunt Nomination—Cloture:** Senate began consideration of the nomination of LaShonda A. Hunt, of Illinois, to be United States District Judge for the Northern District of Illinois. **Page S1436**

A motion was entered to close further debate on the nomination, and, in accordance with the provisions of Rule XXII of the Standing Rules of the Senate, a vote on cloture will occur upon disposition of the nomination of Wesley L. Hsu, of California, to be United States District Judge for the Central District of California. **Page S1436**

Prior to the consideration of this nomination, Senate took the following action:

Senate agreed to the motion to proceed to Legislative Session. **Page S1436**

Senate agreed to the motion to proceed to Executive Session to consider the nomination. **Page S1436**

**Shogan Nomination—Cloture:** Senate began consideration of the nomination of Colleen Joy Shogan, of Pennsylvania, to be Archivist of the United States.

**Page S1437**

A motion was entered to close further debate on the nomination, and, in accordance with the provisions of Rule XXII of the Standing Rules of the Senate, a vote on cloture will occur upon disposition of the nomination of LaShonda A. Hunt, of Illinois, to be United States District Judge for the Northern District of Illinois. **Page S1437**

Prior to the consideration of this nomination, Senate took the following action:

Senate agreed to the motion to proceed to Legislative Session. **Pages S1436–37**

Senate agreed to the motion to proceed to Executive Session to consider the nomination. **Page S1437**

**Gupta Nomination—Cloture:** Senate began consideration of the nomination of Geeta Rao Gupta, of Virginia, to be Ambassador at Large for Global Women's Issues. **Page S1437**

A motion was entered to close further debate on the nomination, and, in accordance with the provisions of Rule XXII of the Standing Rules of the Senate, a vote on cloture will occur upon disposition of the nomination of Colleen Joy Shogan, of Pennsylvania, to be Archivist of the United States.

**Page S1437**

Prior to the consideration of this nomination, Senate took the following action:

Senate agreed to the motion to proceed to Legislative Session. **Page S1437**

Senate agreed to the motion to proceed to Executive Session to consider the nomination. **Page S1437**

**Farbiarz, Kirsch, and Merchant Nominations—Agreement:** A unanimous-consent agreement was reached providing that at approximately 10 a.m., on Tuesday, May 2, 2023, Senate resume consideration of the nomination of Michael Farbiarz, of New Jersey, to be United States District Judge for the District of New Jersey; that the motions to invoke cloture filed during the Wednesday, April 26, 2023, session ripen at 11:30 a.m., and that notwithstanding Rule XXII, following the vote on the motion to invoke cloture on the nomination of Michael Farbiarz, Senate vote on the motion to invoke cloture on the nomination of Robert Kirsch, of New Jersey, to be United States District Judge for the District of New Jersey; that following the vote on the motion to invoke cloture on the nomination of Robert Kirsch, Senate recess subject to the call of the Chair to allow for the weekly caucus meetings and the taking of the official photograph of the 118th Congress; that when the Senate reconvenes, all post-cloture time on the nomination of Michael Farbiarz, be considered expired and Senate vote on confirmation of the nomination; that at 5 p.m., if cloture has been invoked on the nomination of Robert Kirsch, Senate vote on confirmation of the nomination, followed by a vote on the motion to invoke cloture on the nomination of Orelia Eleta Merchant, of New York, to be United States District Judge for the Eastern District of New York. **Page S1443**

**Nomination Confirmed:** Senate confirmed the following nomination:

By 49 yeas to 45 nays (Vote No. EX. 101), Anthony Devos Johnstone, of Montana, to be United States Circuit Judge for the Ninth Circuit.

**Pages S1429–36**

**Messages from the House:** **Page S1439**

**Measures Referred:** **Pages S1439–40**

**Measures Read the First Time:** **Page S1440**

**Executive Communications:** **Page S1440**

**Additional Cosponsors:** **Pages S1441–42**

**Statements on Introduced Bills/Resolutions:** **Pages S1442–43**

**Additional Statements:** **Page S1439**

**Record Votes:** One record vote was taken today. (Total—101) **Page S1436**

**Adjournment:** Senate convened at 3 p.m. and adjourned at 7:15 p.m., until 10 a.m. on Tuesday, May 2, 2023. (For Senate's program, see the remarks of the Majority Leader in today's Record on page S1443.)

## Committee Meetings

*(Committees not listed did not meet)*

No committee meetings were held.

# House of Representatives

## Chamber Action

The House was not in session today. The House will meet at 11 a.m. on Tuesday, May 2, 2023.

## Committee Meetings

No hearings were held.

## Joint Meetings

No joint committee meetings were held.

## COMMITTEE MEETINGS FOR TUESDAY, MAY 2, 2023

*(Committee meetings are open unless otherwise indicated)*

### Senate

*Committee on Agriculture, Nutrition, and Forestry:* Subcommittee on Commodities, Risk Management, and Trade, to hold hearings to examine commodity programs, credit, and crop insurance, focusing on producer perspectives on the farm safety net, 9 a.m., SD-106.

*Committee on Appropriations:* Subcommittee on Defense, to hold hearings to examine proposed budget estimates and justification for fiscal year 2024 for the Army, 10 a.m., SD-192.

Subcommittee on State, Foreign Operations, and Related Programs, to hold hearings to examine advancing security and prosperity through international conservation, 10:30 a.m., SD-124.

*Committee on Armed Services:* to hold hearings to examine the posture of the Department of the Air Force in review

of the Defense Authorization Request for Fiscal Year 2024 and the Future Years Defense Program; to be immediately followed by a closed session in SVC-217, 9:30 a.m., SD-G50.

Subcommittee on Readiness and Management Support, to hold hearings to examine the current readiness of the Joint Force, 3 p.m., SR-232A.

Subcommittee on Strategic Forces, to hold hearings to examine Department of Defense space activities in review of the Defense Authorization Request for Fiscal Year 2024 and the Future Years Defense Program, 4:45 p.m., SR-222.

*Committee on Banking, Housing, and Urban Affairs:* to hold hearings to examine reauthorization of the National Flood Insurance Program, focusing on improving community resilience, 10 a.m., SD-538.

Subcommittee on Housing, Transportation, and Community Development, to hold hearings to examine rural housing legislation, 2:45 p.m., SD-538.

*Committee on Energy and Natural Resources:* to hold hearings to examine the President's proposed budget request for fiscal year 2024 for the Department of the Interior, 9:30 a.m., SD-366.

*Committee on Foreign Relations:* Subcommittee on East Asia, the Pacific, and International Cybersecurity Policy, to hold hearings to examine the President's proposed budget request for fiscal year 2024 for East Asia and the Pacific, 3 p.m., SD-419.

*Committee on Health, Education, Labor, and Pensions:* business meeting to consider S. 1067, to amend the Federal Food, Drug, and Cosmetic Act with respect to citizen petitions, S. 1114, to amend the Federal Food, Drug, and Cosmetic Act with respect to the 180-day exclusivity period, S. 1214, to set forth limitations on exclusive approval or licensure of drugs designated for rare diseases or conditions, S. 1339, to provide for increased oversight of entities that provide pharmacy benefit management services on behalf of group health plans and health insurance coverage, and other pending calendar business, 10 a.m., SD-430.

*Committee on Homeland Security and Governmental Affairs:* to hold hearings to examine improving access to Federal grants for underserved communities, 10 a.m., SD-562.

*Committee on the Judiciary:* to hold hearings to examine Supreme Court ethics reform, 10 a.m., SH-216.

*Select Committee on Intelligence:* to receive a closed briefing on certain intelligence matters, 2:30 p.m., SH-219.

### House

No hearings are scheduled.

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## CONGRESSIONAL PROGRAM AHEAD

Week of May 2 through May 5, 2023

### Senate Chamber

On *Tuesday*, Senate will resume consideration of the nomination of Michael Farbiarz, of New Jersey, to be United States District Judge for the District of New Jersey, and vote on the motion to invoke

cloture thereon at 11:30 a.m., followed by a vote on the motion to invoke cloture on the nomination of Robert Kirsch, of New Jersey, to be United States District Judge for the District of New Jersey.

If cloture is invoked on the nomination of Michael Farbiarz, Senate will vote on confirmation thereon following the taking of the official photo of the 118th Congress.

If cloture is invoked on the nomination of Robert Kirsch, Senate will vote on confirmation thereon at 5 p.m., followed by a vote on the motion to invoke cloture on the nomination of Orelia Eleta Merchant, of New York, to be United States District Judge for the Eastern District of New York.

During the balance of the week, Senate may consider any cleared legislative and executive business.

### Senate Committees

*(Committee meetings are open unless otherwise indicated)*

*Committee on Agriculture, Nutrition, and Forestry:* May 2, Subcommittee on Commodities, Risk Management, and Trade, to hold hearings to examine commodity programs, credit, and crop insurance, focusing on producer perspectives on the farm safety net, 9 a.m., SD-106.

May 4, Subcommittee on Commodities, Risk Management, and Trade, to hold hearings to examine commodity programs, credit, and crop insurance, focusing on industry perspectives on risk management and access to credit, 10 a.m., SD-106.

*Committee on Appropriations:* May 2, Subcommittee on Defense, to hold hearings to examine proposed budget estimates and justification for fiscal year 2024 for the Army, 10 a.m., SD-192.

May 2, Subcommittee on State, Foreign Operations, and Related Programs, to hold hearings to examine advancing security and prosperity through international conservation, 10:30 a.m., SD-124.

May 3, Subcommittee on Energy and Water Development, to hold hearings to examine proposed budget estimates and justification for fiscal year 2024 for the Department of Energy, including the National Nuclear Security Administration, 10 a.m., SD-192.

May 3, Subcommittee on Interior, Environment, and Related Agencies, to hold hearings to examine proposed budget estimates and justification for fiscal year 2024 for the Environmental Protection Agency, 10 a.m., SD-124.

May 3, Subcommittee on Homeland Security, to hold hearings to examine combatting transnational criminal organizations and related trafficking, 2 p.m., SD-138.

May 4, Subcommittee on Labor, Health and Human Services, and Education, and Related Agencies, to hold hearings to examine proposed budget estimates and justification for fiscal year 2024 for the National Institutes of Health, 10 a.m., SD-192.

*Committee on Armed Services:* May 2, to hold hearings to examine the posture of the Department of the Air Force in review of the Defense Authorization Request for Fiscal Year 2024 and the Future Years Defense Program; to be

immediately followed by a closed session in SVC–217, 9:30 a.m., SD–G50.

May 2, Subcommittee on Readiness and Management Support, to hold hearings to examine the current readiness of the Joint Force, 3 p.m., SR–232A.

May 2, Subcommittee on Strategic Forces, to hold hearings to examine Department of Defense space activities in review of the Defense Authorization Request for Fiscal Year 2024 and the Future Years Defense Program, 4:45 p.m., SR–222.

May 4, Full Committee, to hold hearings to examine worldwide threats; to be immediately followed by a closed session in SVC–217, 9:30 a.m., SD–G50.

*Committee on Banking, Housing, and Urban Affairs:* May 2, to hold hearings to examine reauthorization of the National Flood Insurance Program, focusing on improving community resilience, 10 a.m., SD–538.

May 2, Subcommittee on Housing, Transportation, and Community Development, to hold hearings to examine rural housing legislation, 2:45 p.m., SD–538.

May 4, Full Committee, to hold hearings to examine holding executives accountable after recent bank failures, 10 a.m., SD–538.

*Committee on the Budget:* May 3, to hold hearings to examine the real cost of fossil fuels, 10 a.m., SD–608.

May 4, Full Committee, to hold hearings to examine debt limit legislation, 10 a.m., SD–608.

*Committee on Energy and Natural Resources:* May 2, to hold hearings to examine the President's proposed budget request for fiscal year 2024 for the Department of the Interior, 9:30 a.m., SD–366.

May 4, Full Committee, to hold an oversight hearing to examine the Federal Energy Regulatory Commission, 10 a.m., SD–366.

*Committee on Environment and Public Works:* May 3, to hold hearings to examine the 2024 U.S. Army Corps of Engineers budget and implementation of Water Resources Development Act of 2022, 10 a.m., SD–406.

*Committee on Finance:* May 3, to hold hearings to examine barriers to mental health care, focusing on improving provider directory accuracy to reduce the prevalence of ghost networks, 10 a.m., SD–215.

*Committee on Foreign Relations:* May 2, Subcommittee on East Asia, the Pacific, and International Cybersecurity Policy, to hold hearings to examine the President's proposed budget request for fiscal year 2024 for East Asia and the Pacific, 3 p.m., SD–419.

May 3, Full Committee, business meeting to consider S. 396, to require the Secretary of State to submit an annual report to Congress regarding the ties between criminal gangs and political and economic elites in Haiti and impose sanctions on political and economic elites involved in such criminal activities, S. 682, to provide for the treatment of the Association of Southeast Asian Nations (ASEAN) as an international organization for purposes of the International Organizations Immunities Act, S. 1240, to modify the requirements for candidate countries under the Millennium Challenge Act of 2003, S. 841, to authorize the Caribbean Basin Security Initiative, to enhance the United States-Caribbean security partnership, to prioritize natural disaster resilience, S. 797, to estab-

lish and implement a multi-year Legal Gold and Mining Partnership Strategy to reduce the negative environmental and social impacts of illicit gold mining in the Western Hemisphere, an original bill entitled, "Western Hemisphere Partnership Act", S. Res. 119, recognizing the 202nd anniversary of the independence of Greece and celebrating democracy in Greece and the United States, S. Res. 157, commemorating the 25th anniversary of the signing of the Good Friday Agreement, S. Res. 106, condemning Beijing's destruction of Hong Kong's democracy and rule of law, S. Res. 99, supporting the goals of International Women's Day, S. Con. Res. 7, condemning Russia's unjust and arbitrary detention of Russian opposition leader Vladimir Kara-Murza who has stood up in defense of democracy, the rule of law, and free and fair elections in Russia, S. Res. 115, supporting the goals and ideals of "Countering International Parental Child Abduction Month" and expressing the sense of the Senate that Congress should raise awareness of the harm caused by international parental child abduction, S. Res. 23, demanding that the Government of the People's Republic of China and the Communist Party of China immediately release Mark Swidan, and the nominations of Elizabeth Allen, of New York, to be Under Secretary for Public Diplomacy, Vivek Hallegere Murthy, of Florida, to be Representative of the United States on the Executive Board of the World Health Organization, Pamela M. Tremont, of Virginia, to be Ambassador to the Republic of Zimbabwe, and Nicole D. Theriot, of Louisiana, to be Ambassador to the Co-operative Republic of Guyana, all of the Department of State, Elizabeth Shortino, of the District of Columbia, to be United States Executive Director of the International Monetary Fund, Kenneth M. Jarin, of Pennsylvania, to be Chair, and to be a Member, and Jeffrey Gedmin, of the District of Columbia, Kathleen Cunningham Matthews, of Maryland, Luis Manuel Botello, of Maryland, and Michelle Mai Selesky Giuda, of Virginia, each to be a Member, all of the International Broadcasting Advisory Board, and routine lists in the Foreign Service, 10 a.m., S–116, Capitol.

May 3, Subcommittee on State Department and USAID Management, International Operations, and Bilateral International Development, to hold hearings to examine the global information wars, 2:30 p.m., SD–419.

May 4, Full Committee, to hold hearings to examine the nominations of Stephanie Syptak-Ramnath, of Texas, to be Ambassador to the Republic of Peru, Arthur W. Brown, of Pennsylvania, to be Ambassador to the Republic of Ecuador, Yael Lempert, of New York, to be Ambassador to the Hashemite Kingdom of Jordan, and Roger F. Nyhus, of Washington, to be Ambassador to Barbados, and to serve concurrently and without additional compensation as Ambassador to the Federation of Saint Kitts and Nevis, Saint Lucia, Antigua and Barbuda, the Commonwealth of Dominica, Grenada, and Saint Vincent and the Grenadines, all of the Department of State, 10:15 a.m., SD–419.

*Committee on Health, Education, Labor, and Pensions:* May 2, business meeting to consider S. 1067, to amend the Federal Food, Drug, and Cosmetic Act with respect to citizen petitions, S. 1114, to amend the Federal Food,

Drug, and Cosmetic Act with respect to the 180-day exclusivity period, S. 1214, to set forth limitations on exclusive approval or licensure of drugs designated for rare diseases or conditions, S. 1339, to provide for increased oversight of entities that provide pharmacy benefit management services on behalf of group health plans and health insurance coverage, and other pending calendar business, 10 a.m., SD-430.

May 4, Full Committee, to hold hearings to examine preparing for the next public health emergency, focusing on reauthorizing the Pandemic and All-Hazards Preparedness Act, 1 p.m., SD-430.

*Committee on Homeland Security and Governmental Affairs:* May 2, to hold hearings to examine improving access to Federal grants for underserved communities, 10 a.m., SD-562.

*Committee on Indian Affairs:* May 3, business meeting to consider S. 1308, to amend the Indian Self-Determination and Education Assistance Act to extend the deadline for the Secretary of the Interior to promulgate regulations implementing title IV of that Act; to be immediately followed by a hearing to examine S. 195, to provide compensation to the Keweenaw Bay Indian Community for

the taking without just compensation of land by the United States inside the exterior boundaries of the L'Anse Indian Reservation that were guaranteed to the Community under a treaty signed in 1854, S. 382, to take certain land in the State of Washington into trust for the benefit of the Puyallup Tribe of the Puyallup Reservation, and an original bill to amend the Act of August 9, 1955, to modify the authorized purposes and term period of tribal leases, 2:30 p.m., SD-628.

*Committee on the Judiciary:* May 2, to hold hearings to examine Supreme Court ethics reform, 10 a.m., SH-216.

May 3, Subcommittee on Competition Policy, Antitrust, and Consumer Rights, to hold hearings to examine competition in the digital advertising ecosystem, 2:30 p.m., SD-226.

*Select Committee on Intelligence:* May 2, to receive a closed briefing on certain intelligence matters, 2:30 p.m., SH-219.

May 3, Full Committee, to receive a closed briefing on certain intelligence matters, 2:30 p.m., SH-219.

### House Committees

No hearings are scheduled.

# Résumé of Congressional Activity

## FIRST SESSION OF THE ONE HUNDRED EIGHTEENTH CONGRESS

The first table gives a comprehensive résumé of all legislative business transacted by the Senate and House.

The second table accounts for all nominations submitted to the Senate by the President for Senate confirmation.

### DATA ON LEGISLATIVE ACTIVITY

January 3 through April 30, 2023

	<i>Senate</i>	<i>House</i>	<i>Total</i>
Days in session .....	56	59	..
Time in session .....	243 hrs., 41'	223 hrs., 58'	..
Congressional Record:			
Pages of proceedings .....	1,427	2,121	..
Extensions of Remarks .....	..	384	..
Public bills enacted into law .....	30	2	..
Private bills enacted into law .....	..	..	..
Bills in conference .....	..	..	..
Measures passed, total .....	92	111	203
Senate bills .....	13	1	..
House bills .....	..	50	..
Senate joint resolutions .....	1	..	..
House joint resolutions .....	4	7	..
Senate concurrent resolutions .....	..	..	..
House concurrent resolutions .....	3	8	..
Simple resolutions .....	71	45	..
Measures reported, total .....	*33	42	75
Senate bills .....	15	..	..
House bills .....	..	25	..
Senate joint resolutions .....	..	..	..
House joint resolutions .....	..	3	..
Senate concurrent resolutions .....	..	..	..
House concurrent resolutions .....	..	3	..
Simple resolutions .....	18	11	..
Special reports .....	9	1	..
Conference reports .....	..	..	..
Measures pending on calendar .....	34	20	..
Measures introduced, total .....	1,599	3,464	5,063
Bills .....	1,380	3,021	..
Joint resolutions .....	25	60	..
Concurrent resolutions .....	9	36	..
Simple resolutions .....	185	347	..
Quorum calls .....	1	1	..
Yea-and-nay votes .....	100	94	..
Recorded votes .....	..	107	..
Bills vetoed .....	..	2	..
Veto overridden .....	..	..	..

### DISPOSITION OF EXECUTIVE NOMINATIONS

January 3 through April 30, 2023

Civilian nominees, totaling 246, disposed of as follows:	
Confirmed .....	40
Unconfirmed .....	204
Withdrawn .....	2
Other Civilian nominees, totaling 838, disposed of as follows:	
Confirmed .....	333
Unconfirmed .....	505
Air Force nominees, totaling 919, disposed of as follows:	
Confirmed .....	827
Unconfirmed .....	92
Army nominees, totaling 4,823, disposed of as follows:	
Confirmed .....	3,660
Unconfirmed .....	1,163
Navy nominees, totaling 507, disposed of as follows:	
Confirmed .....	92
Unconfirmed .....	415
Marine Corps nominees, totaling 1,088, disposed of as follows:	
Confirmed .....	1,029
Unconfirmed .....	59
Space Force nominees, totaling 359, disposed of as follows:	
Confirmed .....	359
<i>Summary</i>	
Total nominees carried over from the First Session .....	0
Total nominees received this Session .....	8,780
Total confirmed .....	6,340
Total unconfirmed .....	2,440
Total withdrawn .....	2
Total returned to the White House .....	0

\*These figures include all measures reported, even if there was no accompanying report. A total of 15 written reports have been filed in the Senate, 43 reports have been filed in the House.

*Next Meeting of the SENATE*

10 a.m., Tuesday, May 2

## Senate Chamber

**Program for Tuesday:** Senate will resume consideration of the nomination of Michael Farbiarz, of New Jersey, to be United States District Judge for the District of New Jersey, and vote on the motion to invoke cloture thereon at 11:30 a.m., followed by a vote on the motion to invoke cloture on the nomination of Robert Kirsch, of New Jersey, to be United States District Judge for the District of New Jersey.

If cloture is invoked on the nomination of Michael Farbiarz, Senate will vote on confirmation thereon following the taking of the official photo of the 118th Congress.

If cloture is invoked on the nomination of Robert Kirsch, Senate will vote on confirmation thereon at 5 p.m., followed by a vote on the motion to invoke cloture on the nomination of Orelia Eleta Merchant, of New York, to be United States District Judge for the Eastern District of New York.

*(Senate will recess subject to the call of the chair following the vote on the motion to invoke cloture on the nomination of Robert Kirsch for their respective party conferences and the taking of the official photo of the 118th Congress.)*

*Next Meeting of the HOUSE OF REPRESENTATIVES*

10 a.m., Tuesday, May 2

## House Chamber

**Program for Tuesday:** House will meet in Pro Forma session at 11 a.m.



## Congressional Record

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